

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PATRICK BUNCH,)	
)	
Plaintiff,)	
)	
v.)	No. 3:18-cv-00760
)	
CPL. CLARK SARGENT, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is a Report and Recommendation (“R&R”) from the Magistrate Judge (Doc. No. 57), recommending that the Court grant Defendants’ Motion for Summary Judgment (Doc. No. 45). Plaintiff has filed no timely objections to the R&R, even after the Magistrate Judge notified the parties of the two-week period to do so and the Court extended Plaintiff’s time to object by an additional week. (Doc. No. 60.) In lieu of objections, Bunch has filed a Motion for Appointment of Counsel asserting a lack of access to the prison’s law library. (Doc. No. 62.)

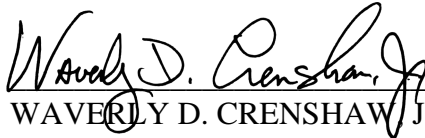
There is no constitutional right to counsel in a civil case, although counsel may be appointed if justified by exceptional circumstances. Lavado v. Keohane, 992 F.2d 601, 605–06 (6th Cir. 1993). Bunch has already been denied appointment of counsel once, in August 2019. (Doc. No. 38.) As the Magistrate Judge determined then and the Court agrees now, Mr. Bunch has not shown exceptional circumstances in this case. Bunch has shown himself capable of presenting his position in this case. See Bates v. Bottom, No. CIV.A. 09-377-JBC, 2012 WL 215112, at *1 (E.D. Ky. Jan. 24, 2012) (denying motion for appointment of counsel, made in objections to the R&R, due to lack of access to a law library). His Motion for Appointment of Counsel (Doc. No. 62) is **DENIED**.

The Court has reviewed de novo the R&R and agrees with its findings and conclusions. Accordingly, the R&R (Doc. No. 68) is **APPROVED AND ADOPTED**, Defendants' Motion for Summary Judgment (Doc. No. 45) is **GRANTED**, and this action is **DISMISSED WITH PREJUDICE**.

Defendant's Motion to Ascertain Status (Doc. No. 56) is **DENIED AS MOOT**.

This is a final order. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58 and close the case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW JR.
CHIEF UNITED STATES DISTRICT JUDGE